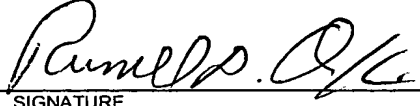


TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 3988-045995
		U.S. APPLICATION NO. 40/520673 (U.S. Application No. 40/520673, see 37 CFR 1.5)
INTERNATIONAL APPLICATION NO. PCT/EP2003/007338	INTERNATIONAL FILING DATE 08 July 2003 (08.07.2003)	PRIORITY DATE CLAIMED 10 July 2002 (10.07.2002)
TITLE OF INVENTION METHOD FOR APPLYING A RESEALABLE POURING ELEMENT TO A CONTAINER AND CORRESPONDING CONTAINER		
APPLICANT(S) FOR DO/EO/US Matthias DAMMERS, Hans-Willi MAINZ, Sven HAGEN, and Markus WASSUM		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: WO 2004/007290 front page w/abstract, specification, claims, drawings and search report (22 pp.). 		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/520673		PCT/EP2003/007338		3988-045995	
21. The following fees are submitted:					
<input checked="" type="checkbox"/> a) Basic national fee.....				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee.....				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee.....				\$ 500.00	
TOTAL OF ABOVE CALCULATIONS =				\$1000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		x \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	14 - 20 =	0	x \$50.00	\$ 0.00	
Independent claims	2 - 3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$ 1,130.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$ 1,130.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$ 1,130.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>\$1,130.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>23-0650</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>Russell D. Orkin</p> <p>Webb Ziesenheim Logsdon Orkin & Hanson, P.C.</p> <p>700 Koppers Building</p> <p>436 Seventh Avenue</p> <p>Pittsburgh, PA 15219-2828</p>					
				<p></p> <p>SIGNATURE</p> <p>Russell D. Orkin</p> <p>NAME</p> <p>25,363</p> <p>REGISTRATION NUMBER</p>	

PATENT APPLICATION/PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

ATTORNEY'S DOCKET NUMBER

Matthias DAMMERS et al.

3988-045995

PCT/EP2003/007338

ENTITLED

**METHOD FOR APPLYING A RESEALABLE POURING ELEMENT TO A
CONTAINER AND CORRESPONDING CONTAINER**

MAIL STOP PCT

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number EL970269108US

Date of Deposit January 10, 2005

I hereby certify that the following attached paper or fee

**Transmittal Letter To The United States
Designated/Elected Office (DO/EO/US) Concerning A
Filing Under 35 U.S.C. 371 (original and two (2) copies)
And Check In The Amount Of \$1,130.0 For Filing Fee And Surcharge;
Letter Recognizing Attorneys (2 pp.);
Translation without drawings (18 pp.)
Preliminary Amendment; and
WO 2004/007290 Front Page, Specification, Claims, Abstract
Drawings and Search Report (22 pp.)**

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Rose M. Collier

(Typed name of person mailing paper or fee)

Rose M. Collier

(Signature of person mailing paper or fee)

Application No. Not Yet Assigned
Paper Dated: January 10, 2005
In Reply to USPTO Correspondence of N/A
Attorney Docket No. 3988-045995

Customer No. 28289
DT12 Rec'd PCT/PTO 10 JAN 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : Not Yet Assigned
Applicant : Matthias DAMMERS et al.
Filed : Concurrently Herewith
Title : METHOD FOR APPLYING A RESEALABLE
POURING ELEMENT TO A CONTAINER AND
CORRESPONDING CONTAINER
International Application No. : PCT/EP2003/007338
International Filing Date : 8 July 2003
Priority Date Claimed : 10 July 2002

MAIL STOP PCT

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

LETTER RECOGNIZING ATTORNEYS

Sir:

Enclosed are appropriate papers for initiating the national phase of the above-identified PCT application, comprising a specification, claims, abstract and drawings. A Preliminary Amendment is also enclosed.

Please accept the application for purposes of granting a filing date and recognize Russell D. Orkin, Richard L. Byrne and Barbara E. Johnson, Registration Nos. 25,363, 28,498 and 31,198, respectively, as attorneys in this application, pending the filing of a formal Declaration and Power of Attorney.

Application No. Not Yet Assigned
Paper Dated: January 13, 2005
In Reply to USPTO Correspondence of N/A
Attorney Docket No. 3988-045995


10/520673
Customer No. 28289
DT12 Rec'd PCT/PTO 10 JAN 2005

Kindly direct all communications relating to this application to **Russell D.**

Orkin.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By 
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